

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

VICTORIA DICKS, on behalf of herself and all
others similarly situated,

Plaintiff,

Case No: 1:22-cv-7214-JPO

-against-

DEFAULT JUDGMENT

Sharkey's Franchising Co., LLC,
Defendant,

This action having been commenced on August 24, 2022, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on Defendant, on November 18, 2022, and a proof of service having been filed on November 22, 2022, and the defendant not having answered the Complaint, and the time for answering the Complaint having expired, it is:

ORDERED, ADJUDGED AND DECREED:

- a. A preliminary and permanent injunction to prohibit Defendant from violating the Americans with Disabilities Act, 42 U.S.C. §§ 12182, *et seq.*, N.Y. Exec. Law § 296, *et seq.*, N.Y.C. Administrative Code § 8-107, *et seq.*, and the laws of New York, is hereby granted as follows:

A preliminary and permanent injunction requiring Defendant to take all the steps necessary to make its Website into full compliance with the

requirements set forth in the ADA, and its implementing regulations, so that the Website is readily accessible to and usable by blind individuals;

- b. A declaration that Defendant owns, maintains and/or operates its Website in a manner that discriminates against the blind and which fails to provide access for persons with disabilities as required by Americans with Disabilities Act, 42 U.S.C. §§ 12182, *et seq.*, N.Y. Exec. Law § 296, *et seq.*, N.Y.C. Administrative Code § 8-107, *et seq.*, and the laws of New York;
- c. Compensatory damages in the amount of \$1,500 including all applicable statutory and punitive damages and fines, to Plaintiff and the proposed class and subclasses for violations of their civil rights under New York State Human Rights Law and City Law;
- c. Pre and post-judgment interest;
- d. An additional award of \$1,500 for costs and expenses of this action, including attorneys' and expert fees.

The Clerk of Court is directed to close the motion at Docket Number 11, enter judgment of dismissal, and close this case.

Dated: November 26, 2024
New York, New York



J. PAUL OETKEN
United States District Judge